

# Memorandum

**TO:** HONORABLE MAYOR AND  
CITY COUNCIL

**FROM:** Stephen M. Haase

**SUBJECT:** SEE BELOW

**DATE:** November 23, 2004

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**COUNCIL DISTRICT:** 4  
**SNI AREA:** N/A

**SUBJECT:** GP03-04-07: General Plan amendment request to change the *San Jose 2020 General Plan Land Use/Transportation Diagram* designation from Medium Density Residential (8-16 DU/AC) to Medium High Density Residential (12-25 DU/AC) with a Floating Park Designation on a 2.5-acre site located on the south side of Berryessa Road, approximately 740 feet east of Jackson Avenue (13060, 13100, and 13120 Berryessa Road).

## RECOMMENDATION

The Planning Commission voted 6-0-1 (Zito absent) to recommend adoption of the proposed General Plan amendment to Medium High Density Residential (12-25 DU/AC) with a Floating Park Designation.

## BACKGROUND

On November 17, 2004, the Planning Commission held a public hearing to consider a General Plan amendment request to change the *San Jose 2020 General Plan Land Use/Transportation Diagram* designation from Medium Density Residential (8-16 DU/AC) to Medium High Density Residential (12-25 DU/AC) with a Floating Park Designation on a 2.5-acre site located on the south side of Berryessa Road, approximately 740 feet east of Jackson Avenue (13060, 13100, and 13120 Berryessa Road). This item is a staff initiated General Plan amendment that is part of the Housing Opportunities Study Phase III.

## ANALYSIS

Public testimony from John Reyes of the Berryessa Citizens Advisory Council, and Henry Cord, who stated that he represented the property owner of the adjacent vacant site, focused on a concern that the proposed amendment might preclude the ability to master plan development with the adjacent vacant land. For this reason, Mr. Reyes and Mr. Cord asked that the proposed amendment be deferred. Charles Territo, one of the property owners for the subject site, stated that he had no objection to the proposal but had concerns regarding the Floating Park designation.

Staff indicated that we would promote comprehensive development when rezoning occurs, and staff believes that approval of this amendment will act as a catalyst for future development. Staff further clarified that the Floating Public Park designation signifies a desire on the City's part for parkland in the vicinity of the amendment site when specific development is proposed. The Floating Park designation is flexible and does not limit the consideration of development of a park solely to the subject 2.5 acres.

The Commission then voted 6-0-1 (Commissioner Zito absent) to recommend that the City Council adopt staff's recommendation of Medium High Density Residential (12-25 DU/AC) with a Floating Park Designation. The Commission included in their recommendation for approval that the Floating park designation should be flexible and should not limit the consideration of development of a park solely to the subject 2.5-acre amendment site.

### **PUBLIC OUTREACH**

The property owners and occupants within a 1,000-foot radius were sent a newsletter regarding the two community meetings that were held on October 6 and 7, 2004. The public also received a notice of the public hearings to be held on the subject amendment before the Planning Commission on November 17, 2004 and City Council on December 7, 2004. The Department web site contains information regarding the General Plan process, amendments, staff reports, and hearing schedules. This web site is available to any member of the public and contains the most current information regarding the status of the amendments.

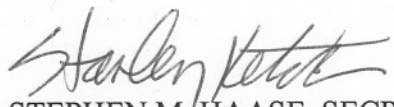
Additionally, as mentioned above in the Environmental Review section of this staff report, staff hosted an EIR scoping meeting on January 21, 2004, and a community organization roundtable discussion on March 30, 2004. Invitees included interested citizens and neighborhood organization leaders and contact people.

### **COORDINATION**

The review of this General Plan amendment was coordinated with the Department of Public Works, Fire Department, Department of Transportation, City Attorney, Santa Clara Valley Water District, Valley Transportation Authority, Pacific Gas and Electric, Airport Land Use Commission, and Parks and Recreation Commission.

### **CEQA**

The Housing Opportunities Study Phase III Environmental Impact Report was certified by the Planning Commission on November 17, 2004.

  
for STEPHEN M. HAASE, SECRETARY  
Planning Commission

GP03-04-07

